

**From:** Bambach, Alistaire <BambachA@SEC.GOV>  
**Sent:** Thursday, September 18, 2008 4:01 PM  
**To:** erosen@cgsh.com  
**Subject:** Re: Here is the language you requested. Please advise if it is acceptable.

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I don't see why not. (Assuming they need to know).

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Sent from my BlackBerry Wireless Handheld

From: Edward J ROSEN  
To: Bambach, Alistaire  
Sent: Thu Sep 18 15:58:00 2008  
Subject: Re: Here is the language you requested. Please advise if it is acceptable.

Alistaire - is this comfort something that we may share with others who may have an interest?

Edward J. Rosen  
Cleary Gottlieb Steen & Hamilton LLP  
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"Bambach, Alistaire" <BambachA@SEC.GOV>

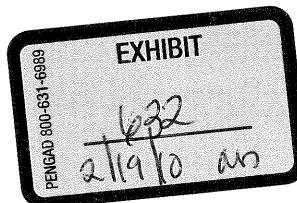
18 September 2008 03:09 PM

To  
erosen@cgsh.com  
cc

Subject  
Re: Here is the language you requested. Please advise if it is acceptable.

Sure.

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Sent from my BlackBerry Wireless Handheld

From: Edward J ROSEN  
To: Bambach, Alistaire  
Sent: Thu Sep 18 14:41:22 2008  
Subject: Re: Here is the language you requested. Please advise if it is acceptable.

Thanks a million!

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"Bambach, Alistaire" <BambachA@SEC.GOV>

18 September 2008 02:29 PM

To  
Erosen@cgsh.com  
cc

Subject  
Here is the language you requested. Please advise if it is acceptable.

The Division of Trading and Markets will not recommend to the Commission that it seek to stay the exercise of any party's rights under Sections 555 and 559 of the Bankruptcy Code with respect to any transaction (or any extension, assignment, novation or rollover of such transaction) entered into on or prior to the earlier of (i) closing of the transactions contemplated by the Asset Purchase Agreement dated September 16, 2008 among Barclays Capital Inc., Lehman Brothers Inc., Lehman Brothers Holdings Inc. and LB 745 LLC and (ii) September 24, 2008.

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